

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

JEAN JONES,	§	
Plaintiff,	§	
v.	§	
	§	
PORTFOLIO RECOVERY ASSOCIATES,	§	No. 1:16-CV-00572-RP
LLC, AND WESTERN SURETY CO.,	§	
Defendants.	§	

ORDER

Before the court is Defendant Portfolio Recovery Associates, LLC’s Motion to Exceed [the] Page Limits (Dkt. #112). The motion and related briefing were referred to the undersigned for disposition by United States District Judge Robert Pitman pursuant to 28 U.S.C. § 636(b)(1)(A), Federal Rule of Civil Procedure 72, and Rule 1(c) of the Local Rules of the United States District Court for the Western District of Texas. Having reviewed the briefing and the relevant case law, the undersigned finds the motion should be **DENIED** as set forth more fully below.

I. Analysis

Per Local Rule CV-7(e)(2), responses must be filed within 7 days of nondispositive motions and 14 days after dispositive motions. Local Rule CV 7(e). Here, Plaintiff filed its Motion for Attorneys’ Fees and Costs on April 4, 2020. Dkt. #108. Defendant did not file its response or the present motion until May 5, 2020, well over the time requirement depicted above. *See* Dkt. #112. Accordingly, the court first notes that Defendant’s Motion to Exceed [the] Page Limit is untimely.

Requesting leave to file a 30-page response to Plaintiff’s 12-page motion, Defendant argues good cause exists “given the importance of this Response and the amount of attorneys’ fees

requested by Plaintiff's Counsel." *Id.* While local rules state that a response to a dispositive motion is limited to 20 pages and a response to a nondispositive motion is limited to 10 pages, Local Rule CV-7(e)(3), courts occasionally permit litigants to exceed the page limit upon showing good cause. *See In re United Markets Int'l, Inc.*, 24 F.3d 650, 654 (5th Cir. 1994) ("[A] federal district court has both specific and inherent power to control its docket."). Here, however, Defendant has neither articulated good cause for exceeding the page limit nor explained why its motion is untimely.

Accordingly, the court **DENIES** Defendant's Motion to Exceed [the] Page Limit and **ORDERS** that Dkt. #113 be struck from the record. Defendant may file a new response that complies with local rules within 7 days of this Order. Furthermore, Plaintiff may file a reply 7 days after Defendant's response is filed.

SIGNED May 15, 2020



MARK LANE
UNITED STATES MAGISTRATE JUDGE